

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

JOHN BROSNAN,

No. C-07-06438 EDL

Plaintiff,

**ORDER TO SHOW CAUSE AND ORDER
FOR ADDITIONAL INFORMATION IN
SUPPORT OF PLAINTIFF'S IN FORMA
PAUPERIS APPLICATION**

v.

TRACY AVILDSSEN,

Defendant.

Plaintiff filed his complaint and an application to proceed in forma pauperis on December 21, 2007. On that date, the Court issued an order requiring a case management conference statement to be filed on March 25, 2008 and setting an initial case management conference for April 1, 2008. On January 16, 2008 and February 11, 2008, the Court's courtroom deputy sent letters to Plaintiff seeking his decision regarding consent to magistrate judge jurisdiction. Plaintiff did not respond to the Court's letters, nor has he responded to telephone calls from the Court's courtroom deputy. Plaintiff did not file a case management conference statement and failed to appear at the case management conference. Plaintiff did not contact the Court in advance of the conference regarding his case.

Accordingly, Plaintiff is ordered to show cause as to why the Court should not recommend that this case should be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b). The show cause hearing is scheduled for April 22, 2008 at 9:00 a.m. in Courtroom E, 15th Floor, 450 Golden Gate Avenue, San Francisco, California.

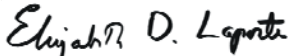
The Court's review of Plaintiff's in forma pauperis application reveals some inadequacies that must be addressed before the Court can rule on it. First, Plaintiff reports that he is not presently employed, but also reports that his employer is "self." If Plaintiff receives an income from self-

1 employment, that income must be reported on the application. Second, the application requires
2 Plaintiff's signature under penalty of perjury and Plaintiff has not signed the application. If Plaintiff
3 still wishes to proceed in forma pauperis, he shall file an amended application no later than April 22,
4 2008.

5 Plaintiff shall also determine whether he will consent to magistrate judge jurisdiction or
6 request reassignment to a district court judge as explained in the Court's January 16, 2008 and
7 February 11, 2008 letters. The magistrate judges of this district have been designated to conduct any
8 and all proceedings in a civil case including a jury or nonjury trial and to order the entry of a final
9 judgment, upon the consent of all parties. Plaintiff shall select one of the attached forms
10 documenting his consent or request for reassignment and file it with the Court by April 22, 2008 .
11 These forms can also be found on the Court's website at www.cand.uscourts.gov.

12 **IT IS SO ORDERED.**

13 Dated: April 4, 2008

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16 ELIZABETH D. LAPORTE
17 United States Magistrate Judge
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